

REMARKS

Amendments to the Claims

Claims 1, 3-10, and 29-32 remain pending in the application. Applicants have canceled claims 2, 11-20, 22-24, and 26-28, which claims Applicants retain the right to pursue in a divisional application. Claim 1 is amended to incorporate the limitations previously recited in now canceled claim 2. The foregoing amendments are intended to place the application in condition for allowance or, alternatively, in better form for appeal should the rejections be maintained.

The Rejections in the Office Action

In view of the canceled claims, the rejections remain with respect to claims 1, 3-10, and 29-32. Claim 31 stands rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,182,142 ("Win"). Claims 1, 3, 4, 6, and 29 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of U.S. Patent No. 6,470,453 ("Vilhuber"). Claims 7 and 8 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of Vilhuber and further in view of Official Notice. Claims 5, 9, and 10 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of Vilhuber and further in view of U.S. Patent No. 6,493,749 ("Paxhia"). Claims 30 and 32 stand rejected as unpatentable over Win in view of Official Notice.

Interview Summary

Applicants thank Examiner Song for the courtesy he extended during a February 24, 2004 telephone interview with Applicants' representative Robert Wittmann to discuss the final Office Action. During the interview, Examiner Song agreed that Win did not disclose determining the characteristic of a link or basing an access decision upon such a determined characteristic at col. 6, lines 48-61 as indicated at page 3 of the Office Action. However, Examiner Song indicated that a closer review of the Win patent was necessary and invited Applicants to file a formal request for reconsideration, which is included herewith.

Summary of Applicants' Response

Pending claims 1, 3-10, and 29-32 are directed to enforcing a policy on a computer network. Each of these claims recite a method of determining whether to grant or deny a user access to a network based upon a determined group and a second determined characteristic such

as the characteristic of a link, a communication medium, or of a calling location. The prior art cited in the Office Action, either when taken alone or in combination, fails to disclose, teach, or suggest determining whether to grant or deny access based on the characteristic of a link, communication medium, or calling location. Accordingly, the pending claims are believed to be in condition for allowance and Applicants request that the rejections be withdrawn.

Discussion of the Rejections under 35 U.S.C. §§ 102 and 103

1. Claim 31.

The Office Action rejects claim 31 as anticipated by Win. Claim 31 recites a user attempting to access a network through a communication medium. Claim 31 further recites the steps of “determining a group to which the user belongs; determining the medium type and based on the determined group and the medium type, selecting an action ... usable to grant or deny access to the network.” (emphasis added). Thus, claim 31 requires that the decision to grant or deny access be based on two independent factors – one being the determined group and the other being the determined medium type.

Win discloses a method of granting or denying access to a network through the use of cookies. When a user first attempts to access the network, the user is required to enter a password and user name. (Win, col. 6, ll. 48-51). A server then places a “roles cookie” on the browser of the user’s machine. (*Id.*, col. 6, ll. 51-55). The roles cookie includes a list of the user’s roles, which define the roles of the particular user, *e.g.* engineering, sales, marketing and the like. (*Id.*, col. 10, l. 67 and col. 5, ll. 28-39). Win further discloses the following with respect to granting and denying access to the network:

If the resource is not a public resource, then a user is allowed access only if the user is authorized, as shown by state 320. In the preferred embodiment, state 320 involves testing whether the request from browser 100 contains a “roles cookie” that can be decrypted, and the user has one or more roles, in a combination defined by an Access Rule. Each Access Rule is a Boolean expression of one or more roles. In an alternate embodiment, state 320 involves testing whether the user has at least one role needed to access the resource. If these conditions are satisfied, then the user is deemed authorized. If these conditions are not satisfied, the user does not have authorization and the Runtime Module returns a redirection to a pre-defined URL, as shown by state 322. Preferably, the pre-defined URL identifies a Web page that displays the message “Access

Restricted," or an equivalent warning that informs the user that it cannot access the requested resource.

(col. 8, l. 56 - col. 9, l. 5).

Thus, Win discloses that the decision as to whether to grant or deny access to the network is based solely on the roles cookie. Nowhere does Win disclose, teach, or even remotely suggest that the roles cookie includes any information concerning a medium type or even the step of determining the medium type. Thus, it necessarily follows that Win fails to disclose determining whether to grant or deny access based upon a determined medium type through which the user connects to the network. Accordingly, Win does not anticipate claim 31.

Applicants additionally note that the rejection of claim 31 is improper because it fails to indicate that Win discloses each and every limitation recited in that claim. In its rejection of claim 31 (found at page 2, ¶ 3 of the Office Action), the Office Action does not assert that Win discloses determining whether to grant or deny access based upon the step of determining the medium type.

2. Claims 1, 3, 4, 6, and 29.

Claims 1, 3, 4, 6, and 29 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of Vilhuber. Independent claim 1 and corresponding dependent claims 3, 4, and 6 recite a method wherein a user attempts to access the network over a network link. These claims further recite the steps of "determining a group to which the user belongs and evaluating the link to determine the characteristic of the link," and "based on the determined group and the determined characteristic, selecting an authorization parameter ... used by the network access server to grant or deny access." (emphasis added). Independent claim 29 recites a user attempting to access a network through a communication medium. Claim 29 further recites the steps of "determining a group to which the user belongs; determining the medium type and, based on the determined group and the medium type, selecting an action ... used by a network access server to grant or deny access to the network." (emphasis added).

Win does not disclose, teach, or suggest that a decision on whether to grant or deny access is based on a determined characteristic of a link or a medium type. As discussed above, Win bases the decision on whether to grant or deny access based solely on the roles cookie embedded in the user's browser. The information in the roles cookie is entirely unrelated to the characteristic of the link or medium type through which the user accesses the network.

In its rejection of claim 2, now applicable to claim 1 because of Applicants' amendment, the Office Action asserts that "Win discloses evaluating the link to determine a characteristic of the link and selecting authorization parameter based on the determined characteristic in (fig. 1 and col. 6, lines 48-61)." However, the cited portion of Win relied upon by the Office Action does not support the stated conclusion. The cited portion specifically provides as follows:

Access Server 106 stores a log-in page, Authentication Client Module and Access Menu Module. The Authentication Client Module authenticates a user by verifying the name and password with the Registry Server 108. If the name and password are correct, the Authentication Client Module reads the user's roles from the Registry Server 108. It then encrypts and sends this information in a "cookie" to the user's browser. A "cookie" is a packet of data sent by web servers to web browsers. Each cookie is saved by browser 100 until the cookie expires. Cookies received from a web server in a specific domain are returned to web servers in that same domain during open URL requests. A cookie returned by the Authentication Client Module is required for access to resources protected by the system 2.

(Win, col. 6, ll. 48-61).

The section of Win reproduced above merely states that a cookie containing the user's roles is encrypted and stored on the user's machine. Nowhere does it state that a characteristic of a link or medium type is determined and more particularly, does not state that such determined characteristic formulates the basis of a decision on whether to grant or deny access.

Vilhuber discloses a user connected to a network through a network access server. (Vilhuber, Fig. 1). The network access server disclosed in Vilhuber controls access to a network through convention means that require the user to enter a user name and password. (*Id.*, col. 8, ll. 8-19). Nowhere does Vilhuber disclose, teach, or even suggest basing a decision on whether to grant or deny access upon a determined characteristic of a link or medium type.

In summary, neither Vilhuber nor Win disclose, teach, or suggest basing a decision on whether to grant or deny access upon a determined characteristic of a link or medium, nor does the combination of these references provide such teaching. Accordingly, the Office Action has not established a *prima facie* case of obviousness and Applicants request that the rejections be withdrawn.

3. Claims 7 and 8.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of U.S. Patent No. 6,470,453 ("Vilhuber") and further in view of Official Notice. Claims 7 and 8 depend from claim 1. As discussed above, claim 1 requires determining both a group to which the user belongs and a characteristic of the link through which the user is connected to the network. The decision on whether to grant or deny access is then based upon both the determined group and the characteristic of the link.

As further discussed above, neither Vilhuber nor Win disclose, teach, or suggest basing a decision on whether to grant or deny access upon a determined characteristic of a link nor does the combination of these references provide such teaching. Thus, notwithstanding any official notice concerning limiting access to a particular time frame, the Office Action has not established a *prima facie* case of obviousness and Applicants request that the rejections be withdrawn.

4. Claims 5, 9, and 10.

Claims 5, 9, and 10 stand rejected under 35 U.S.C. § 103 as unpatentable over Win in view of Vilhuber and further in view of Paxhia. Claims 5, 9, and 10 depend from claim 1. As discussed above, claim 1 requires determining both a group to which the user belongs and a characteristic of the link through which the user is connected to the network. The decision on whether to grant or deny access is then based upon both the determined group and the characteristic of the link.

As further discussed above, neither Vilhuber nor Win disclose, teach, or suggest, basing a decision on whether to grant or deny access upon a determined characteristic of a link. Paxhia is cited by the Office Action because it allegedly discloses an override attribute. However, Paxhia likewise fails to disclose, teach, or suggest, basing an access determination on a determined characteristic of a link. Accordingly, Win, Vilhuber, and Paxhia do not teach the claimed invention even when combined and the Office Action has not established a *prima facie* case of obviousness. Applicants request that the rejection be withdrawn.

5. Claims 30 and 32.

Claims 30 and 32 stand rejected as unpatentable over Win in view of Official Notice. Independent claims 30 and 32 recite a user attempting to access a network through a dial up link. These claims further recite "determining a group to which the user belongs; determining the

In re Appln. of Palekar et al. Palekar et al.
Application No. 09/360,912

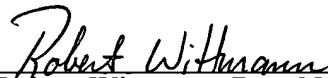
called number of the dial up link and, based on the determined group and the number, selecting an action ... usable to grant or deny access to the network.”

Win does not disclose, teach, or suggest determining a called number or basing a decision on whether to permit access based on the determined number. The Office Action asserts that “Official notice is taken that dial up link is well known in the art. One of ordinary skill in the art would have been motivated to use called number because with dial up link user can be called back and offers convenient and cost efficient to access remote site.” Even assuming *arguendo* that the stated assertion is true, the Office Action fails to establish a *prima facie* case of obviousness. The claims do not recite using a callback number. Rather, the claims recite determining the called number and then determining whether to grant or deny access based on the determined number, which feature is not disclosed, taught, or suggested by Win nor does the Official Notice even allege such feature as known within the art. Accordingly, Applicants request that the rejection be withdrawn.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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